

lation listing such sculpture or mural pursuant to section 2091 of this title; or

(3) satisfactory evidence that such sculpture or mural is not covered by the list promulgated under section 2091 of this title;

the customs officer concerned shall take the sculpture or mural into customs custody and send it to a bonded warehouse or public store to be held at the risk and expense of the consignee until such certificate or evidence is filed with such officer. If such certificate or evidence is not presented within the 90-day period after the date on which such sculpture or mural is taken into customs custody, or such longer period as may be allowed by the Secretary for good cause shown, the importation of such sculpture or mural into the United States is in violation of this chapter.

(Pub. L. 92-587, title II, §202, Oct. 27, 1972, 86 Stat. 1297.)

CODIFICATION

References to section 202 of Pub. L. 92-587 in the original were translated as section 2091 of this title in the classification of Pub. L. 92-587 as the probable intent of Congress.

§ 2093. Forfeiture of unlawful imports

(a) Seizure

Any pre-Columbian monumental or architectural sculpture or mural imported into the United States in violation of this chapter shall be seized and subject to forfeiture under the customs laws.

(b) Disposition of articles

Any pre-Columbian monumental or architectural sculpture or mural which is forfeited to the United States shall—

(1) first be offered for return to the country of origin and shall be returned if that country bears all expenses incurred incident to such return and complies with such other requirements relating to the return as the Secretary shall prescribe; or

(2) if not returned to the country of origin, be disposed of in the manner prescribed by law for articles forfeited for violation of the customs laws.

(Pub. L. 92-587, title II, §203, Oct. 27, 1972, 86 Stat. 1297.)

REFERENCES IN TEXT

The customs laws, referred to in text, are classified generally to this title.

§ 2094. Rules and regulations

The Secretary shall prescribe such rules and regulations as are necessary and appropriate to carry out the provisions of this chapter.

(Pub. L. 92-587, title II, §204, Oct. 27, 1972, 86 Stat. 1297.)

§ 2095. Definitions

For the purposes of this chapter—

(1) The term “Secretary” means the Secretary of the Treasury.

(2) The term “United States” includes the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

(3) The term “pre-Columbian monumental or architectural sculpture or mural” means—

(A) any stone carving or wall art which—

(i) is the product of a pre-Columbian Indian culture of Mexico, Central America, South America, or the Caribbean Islands;

(ii) was an immobile monument or architectural structure or was a part of, or affixed to, any such monument or structure; and

(iii) is subject to export control by the country of origin; or

(B) any fragment or part of any stone carving or wall art described in subparagraph (A) of this paragraph.

(4) The term “country of origin”, as applied to any pre-Columbian monumental or architectural sculpture or mural, means the country where such sculpture or mural was first discovered.

(Pub. L. 92-587, title II, §205, Oct. 27, 1972, 86 Stat. 1297.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2091 of this title.

CHAPTER 12—TRADE ACT OF 1974

Sec.

2101. Short title.

2102. Congressional statement of purpose.

SUBCHAPTER I—NEGOTIATING AND OTHER AUTHORITY

PART 1—RATES OF DUTY AND OTHER TRADE BARRIERS

2111. Basic authority for trade agreements.

(a) Presidential authority to enter into agreement; modification or continuance of existing duties.

(b) Limitation on authority to decrease duty.

(c) Limitation on authority to increase duty.

2112. Barriers to and other distortions of trade.

(a) Congressional findings; directives; disavowal of prior approval of legislation.

(b) Presidential determinations prerequisite to entry into trade agreements; trade with Israel.

(c) Presidential consultation with Congress prior to entry into trade agreements.

(d) Submission to Congress of agreements, drafts of implementing bills, and statements of proposed administrative action.

(e) Steps prerequisite to entry into force of trade agreements.

(f) Obligations imposed upon foreign countries or instrumentalities receiving benefits under trade agreements.

(g) Definitions.

2113. Overall negotiating objective.

2114. Sector negotiating objectives.

(a) Obtaining equivalent competitive opportunities.

(b) Conduct of negotiations on basis of appropriate product sectors of manufacturing.

(c) Identification of appropriate product sectors of manufacturing.

(d) Presidential analysis of how negotiating objectives are achieved in each product sector by trade agreements.

- | | |
|--|--|
| <p>Sec.
2114a. Negotiating objectives with respect to trade in services, foreign direct investment, and high technology products.
 (a) Trade in services.
 (b) Foreign direct investment.
 (c) High technology products.
 (d) Definition of barriers and other distortions.</p> <p>2114b. Provisions relating to international trade in services.</p> <p>2114c. Trade in services: development, coordination, and implementation of Federal policies; staff support and other assistance; specific service sector authorities unaffected; executive functions.</p> <p>2114d. Foreign export requirements; consultations and negotiations for reduction and elimination; restrictions on and exclusion from entry of products or services; savings provision; compensation authority applicable.</p> <p>2114e. Negotiation of agreements concerning high technology industries.</p> <p>2115. Bilateral trade agreements.</p> <p>2116. Agreements with developing countries.</p> <p>2117. International safeguard procedures.
 (a) Harmonization, reduction, or elimination of barriers and distortions affecting international trade; use of temporary measures.
 (b) Permissible provisions.</p> <p>2118. Access to supplies.
 (a) Fair and equitable access.
 (b) Continued availability; reciprocal concessions; comparable trade obligations.</p> <p>2119. Staging requirements and rounding authority.
 (a) Maximum aggregate reductions in rates of duty.
 (b) Simplification of computation.
 (c) Ten-year period for commencement of reductions in rates of duty.</p> <p style="text-align: center;">PART 2—OTHER AUTHORITY</p> <p>2131. Authorization of appropriation for GATT revision.</p> <p>2132. Balance-of-payments authority.
 (a) Presidential proclamations of temporary import surcharges and temporary limitations on imports through quotas in situations of fundamental international payments problems.
 (b) Import restrictions not imposed when contrary to national interest of United States.
 (c) Presidential proclamations liberalizing imports.
 (d) Nondiscriminatory treatment of import restricting actions.
 (e) Broad and uniform application of import restricting actions.
 (f) Quantitative limitations.
 (g) Suspension, modification, or termination of proclamations.
 (h) Termination of tariff concessions.</p> <p>2133. Compensation authority.
 (a) New concessions.
 (b) Reductions in rates of duty.
 (c) Consideration of past violations of trade concessions.
 (d) Basic authority for trade agreements as authority for granting new concessions as compensation.
 (e) International obligations determination prerequisite to application of authority.</p> <p>2134. Two-year residual authority to negotiate duties.</p> | <p>Sec.
2135. Termination and withdrawal authority.
 (a) Trade agreements.
 (b) Maximum volume of imported articles subject to reduction of duties or continuance of duty-free or excise treatment.
 (c) Maximum reduction in duties.
 (d) Two-year period of authority.</p> <p>2136. Reciprocal nondiscriminatory treatment.
 (a) Grant of authority for termination or withdrawal at end of period specified in agreement.
 (b) Authority to terminate proclamations at any time.
 (c) Increased duties or other import restrictions following withdrawal, suspension, or modification of obligations with respect to trade of foreign countries or instrumentalities.
 (d) Retaliatory authority.
 (e) Continuation of duties or other import restrictions after termination of or withdrawal from agreements.
 (f) Public hearings.</p> <p>2137. Reservation of articles for national security or other reasons.
 (a) Direct and indirect imports.
 (b) Presidential determination of whether major industrial countries have made substantially equivalent concessions to the United States.
 (c) Major industrial countries.</p> <p>2138. Omitted.</p> <p style="text-align: center;">PART 3—HEARINGS AND ADVICE CONCERNING NEGOTIATIONS</p> <p>2151. Advice from International Trade Commission.
 (a) Lists of articles which may be considered for action.
 (b) Advice to President by Commission.
 (c) Additional investigations and reports requested by President or Trade Representative.
 (d) Commission steps in preparing its advice to President.
 (e) Public hearings.</p> <p>2152. Advice from executive departments and other sources.</p> <p>2153. Public hearings.
 (a) Opportunity for presentation of views.
 (b) Summary of hearings.</p> <p>2154. Prerequisites for offers.</p> <p>2155. Information and advice from private and public sectors.
 (a) In general.
 (b) Advisory Committee for Trade Policy and Negotiations.
 (c) General policy, sectoral, or functional advisory committees.
 (d) Policy, technical, and other advice and information.
 (e) Meeting of advisory committees at conclusion of negotiations.
 (f) Application of Federal Advisory Committee Act.
 (g) Trade secrets and confidential information.
 (h) Advisory committee support.
 (i) Consultation with advisory committees; procedures; nonacceptance of committee advice or recommendations.
 (j) Private organizations or groups.
 (k) Scope of participation by members of advisory committees.
 (l) Advisory committees established by Department of Agriculture.</p> |
|--|--|

- | | |
|---|--|
| <p>Sec. (m) "Non-Federal government" defined.</p> <p>PART 4—OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE</p> <p>2171. Structure, functions, powers, and personnel.</p> <p style="padding-left: 20px;">(a) Establishment within Executive Office of the President.</p> <p style="padding-left: 20px;">(b) United States Trade Representative; Deputy United States Trade Representative.</p> <p style="padding-left: 20px;">(c) Duties of United States Trade Representative and Deputy United States Trade Representatives.</p> <p style="padding-left: 20px;">(d) Unfair trade practices; additional duties of Representative; advisory committee; definition.</p> <p style="padding-left: 20px;">(e) Powers of United States Trade Representative.</p> <p style="padding-left: 20px;">(f) Use of other Federal agencies.</p> <p style="padding-left: 20px;">(g) Authorization of appropriations.</p> <p>PART 5—CONGRESSIONAL PROCEDURES WITH RESPECT TO PRESIDENTIAL ACTIONS</p> <p>2191. Bills implementing trade agreements on non-tariff barriers and resolutions approving commercial agreements with Communist countries.</p> <p style="padding-left: 20px;">(a) Rules of House of Representatives and Senate.</p> <p style="padding-left: 20px;">(b) Definitions.</p> <p style="padding-left: 20px;">(c) Introduction and referral.</p> <p style="padding-left: 20px;">(d) Amendments prohibited.</p> <p style="padding-left: 20px;">(e) Period for committee and floor consideration.</p> <p style="padding-left: 20px;">(f) Floor consideration in the House.</p> <p style="padding-left: 20px;">(g) Floor consideration in the Senate.</p> <p>2192. Resolutions disapproving certain actions.</p> <p style="padding-left: 20px;">(a) Contents of resolutions.</p> <p style="padding-left: 20px;">(b) Reference to committees.</p> <p style="padding-left: 20px;">(c) Discharge of committees.</p> <p style="padding-left: 20px;">(d) Floor consideration in the House.</p> <p style="padding-left: 20px;">(e) Floor consideration in the Senate.</p> <p style="padding-left: 20px;">(f) Procedures in the Senate.</p> <p>2193. Resolutions relating to extension of waiver authority under section 402 of the Trade Act of 1974.</p> <p style="padding-left: 20px;">(a) Contents of resolution.</p> <p style="padding-left: 20px;">(b) Application of rules of section 2192 of this title; exceptions.</p> <p style="padding-left: 20px;">(c) Consideration of second resolution not in order.</p> <p style="padding-left: 20px;">(d) Procedures relating to conference reports in the Senate.</p> <p>2194. Special rules relating to Congressional procedures.</p> <p style="padding-left: 20px;">(a) Delivery of documents to both Houses.</p> <p style="padding-left: 20px;">(b) Computation of 90-day period.</p> <p>PART 6—CONGRESSIONAL LIAISON AND REPORTS</p> <p>2211. Congressional advisers for trade policy and negotiations.</p> <p style="padding-left: 20px;">(a) Selection.</p> <p style="padding-left: 20px;">(b) Briefing.</p> <p style="padding-left: 20px;">(c) Committee consultation.</p> <p>2212. Transmission of agreements to Congress.</p> <p style="padding-left: 20px;">(a) Submission of copy and reasons.</p> <p style="padding-left: 20px;">(b) Submission to each member.</p> <p>2213. Reports.</p> <p style="padding-left: 20px;">(a) Annual report on trade agreements program and national trade policy agenda.</p> <p style="padding-left: 20px;">(b) Annual trade projection report.</p> <p style="padding-left: 20px;">(c) ITC reports.</p> <p>PART 7—UNITED STATES INTERNATIONAL TRADE COMMISSION</p> <p>2231. Change of name.</p> | <p>Sec. (a) Former United States Tariff Commission.</p> <p style="padding-left: 20px;">(b) References in law and other documents.</p> <p>2232. Independent budget and authorization of appropriations.</p> <p>PART 8—IDENTIFICATION OF MARKET BARRIERS AND CERTAIN UNFAIR TRADE ACTIONS</p> <p>2241. Estimates of barriers to market access.</p> <p style="padding-left: 20px;">(a) National trade estimates.</p> <p style="padding-left: 20px;">(b) Reports.</p> <p style="padding-left: 20px;">(c) Assistance of other agencies.</p> <p style="padding-left: 20px;">(d) Electronic commerce.</p> <p>2242. Identification of countries that deny adequate protection, or market access, for intellectual property rights.</p> <p style="padding-left: 20px;">(a) In general.</p> <p style="padding-left: 20px;">(b) Special rules for identifications.</p> <p style="padding-left: 20px;">(c) Revocations and additional identifications.</p> <p style="padding-left: 20px;">(d) Definitions.</p> <p style="padding-left: 20px;">(e) Publication.</p> <p style="padding-left: 20px;">(f) Special rule for actions affecting United States cultural industries.</p> <p style="padding-left: 20px;">(g) Annual report.</p> <p>SUBCHAPTER II—RELIEF FROM INJURY CAUSED BY IMPORT COMPETITION</p> <p>PART 1—POSITIVE ADJUSTMENT BY INDUSTRIES INJURED BY IMPORTS</p> <p>2251. Action to facilitate positive adjustment to import competition.</p> <p style="padding-left: 20px;">(a) Presidential action.</p> <p style="padding-left: 20px;">(b) Positive adjustment to import competition.</p> <p>2252. Investigations, determinations, and recommendations by Commission.</p> <p style="padding-left: 20px;">(a) Petitions and adjustment plans.</p> <p style="padding-left: 20px;">(b) Investigations and determinations by Commission.</p> <p style="padding-left: 20px;">(c) Factors applied in making determinations.</p> <p style="padding-left: 20px;">(d) Provisional relief.</p> <p style="padding-left: 20px;">(e) Commission recommendations.</p> <p style="padding-left: 20px;">(f) Report by Commission.</p> <p style="padding-left: 20px;">(g) Expedited consideration of adjustment assistance petitions.</p> <p style="padding-left: 20px;">(h) Limitations on investigations.</p> <p style="padding-left: 20px;">(i) Limited disclosure of confidential business information under protective order.</p> <p>2253. Action by President after determination of import injury.</p> <p style="padding-left: 20px;">(a) In general.</p> <p style="padding-left: 20px;">(b) Reports to Congress.</p> <p style="padding-left: 20px;">(c) Implementation of action recommended by Commission.</p> <p style="padding-left: 20px;">(d) Time for taking effect of certain relief.</p> <p style="padding-left: 20px;">(e) Limitations on actions.</p> <p style="padding-left: 20px;">(f) Certain agreements.</p> <p style="padding-left: 20px;">(g) Regulations.</p> <p>2254. Monitoring, modification, and termination of action.</p> <p style="padding-left: 20px;">(a) Monitoring.</p> <p style="padding-left: 20px;">(b) Reduction, modification, and termination of action.</p> <p style="padding-left: 20px;">(c) Extension of action.</p> <p style="padding-left: 20px;">(d) Evaluation of effectiveness of action.</p> <p style="padding-left: 20px;">(e) Other provisions.</p> <p>PART 2—ADJUSTMENT ASSISTANCE FOR WORKERS</p> <p>SUBPART A—PETITIONS AND DETERMINATIONS</p> <p>2271. Petitions.</p> <p style="padding-left: 20px;">(a) Filing of petition; publication of notice.</p> |
|---|--|

Sec.		Sec.	
	(b) Hearing.		SUBPART C—GENERAL PROVISIONS
2272.	Group eligibility requirements; agricultural workers; oil and natural gas industry.	2311.	Agreements with States.
2273.	Determinations by Secretary of Labor.		(a) Authority of Secretary to enter into agreements.
	(a) Certification of eligibility.		(b) Amendment, suspension, and termination of agreements.
	(b) Workers covered by certification.		(c) Unemployment insurance.
	(c) Publication of determination in Federal Register.		(d) Review.
	(d) Termination of certification.		(e) Coordination of benefits and assistance.
2274.	Study by Secretary of Labor when International Trade Commission begins investigation.		(f) Advising and interviewing adversely affected workers.
	(a) Subject matter of study.		(g) Submission of information for coordination of workforce investment activities.
	(b) Report; publication.		
2275.	Benefit information for workers.	2312.	Administration absent State agreement.
	SUBPART B—PROGRAM BENEFITS		(a) Promulgation of regulations; fair hearing.
2291.	Qualifying requirements for workers.		(b) Review of final determination.
	(a) Trade readjustment allowance conditions.	2313.	Payments to States.
	(b) Withholding of trade readjustment allowance pending beginning or resumption of participation in training program; period of applicability.		(a) Certification to Secretary of the Treasury for payment to cooperating States.
	(c) Approval of training programs; written certifications; revocation of certification; annual report.		(b) Utilization or return of money.
			(c) Surety bonds.
2292.	Weekly amounts of readjustment allowance.	2314.	Liabilities of certifying and disbursing officers.
	(a) Formula.		(a) Certifying officer.
	(b) Adversely affected workers who are undergoing training.		(b) Disbursing officer.
	(c) Deduction from total number of weeks of allowance entitlement.	2315.	Fraud and recovery of overpayments.
2293.	Limitations on trade readjustment allowances.		(a) Repayment; deductions.
	(a) Maximum allowance; deduction for unemployment insurance; additional payments for approved training periods.		(b) False representation or nondisclosure of material fact.
	(b) Limitations on additional payments for training periods.		(c) Notice of determination; fair hearing; finality.
	(c) Adjustments of amounts payable.		(d) Recovered amount returned to Treasury.
	(d) Special adjustments for benefit years ending with extended benefit periods.	2316.	Penalties.
	(e) Week during which worker received on-the-job training.	2317.	Authorization of appropriations.
	(f) Workers treated as participating in training.		(a) In general.
2294.	Application of State laws.		(b) Subpart D.
2295.	Employment services.	2318.	Supplemental wage allowance demonstration projects.
2296.	Training.		(a) Establishment of projects; purpose.
	(a) Approval of training; limitation on expenditures; reasonable expectation of employment; payment of costs; approved training programs; nonduplication of payments from other sources; disapproval of certain programs; exhaustion of unemployment benefits; promulgation of regulations.		(b) Supplemental wage allowances.
	(b) Supplemental assistance.		(c) Evaluation of projects.
	(c) Payment of costs of on-the-job training.		(d) Report to Congress; evaluation and recommendation.
	(d) Eligibility for unemployment insurance.	2319.	Definitions.
	(e) "Suitable employment" defined.	2320.	Regulations.
2297.	Job search allowances.	2321.	Subpena power.
	(a) Terms.		(a) Subpena by Secretary.
	(b) Conditions.		(b) Court order.
	(c) Reimbursement for necessary expenses.	2322.	Nonduplication of assistance.
2298.	Relocation allowances.		SUBPART D—NAFTA TRANSITIONAL ADJUSTMENT ASSISTANCE PROGRAM
	(a) Filing of application.	2331.	Establishment of transitional program.
	(b) Suitable employment; bona fide offer; total separation when relocation commences.		(a) Group eligibility requirements.
	(c) Time of relocation.		(b) Preliminary findings and basic assistance.
	(d) "Relocation allowance" defined.		(c) Review of petitions by Secretary; certifications.
			(d) Comprehensive assistance.
			(e) Administration.
			PART 3—ADJUSTMENT ASSISTANCE FOR FIRMS
		2341.	Petitions and determinations.
			(a) Filing of petition; receipt of petition; initiation of investigation.
			(b) Public hearing.
			(c) Certification.
			(d) Allowable period for determination.
		2342.	Approval of adjustment proposals.
			(a) Application for adjustment assistance.
			(b) Technical assistance.
			(c) Termination of certification of eligibility.

- | | |
|---|---|
| <p>Sec.
2343. Technical assistance.
 (a) Discretion of Secretary; types of assistance.
 (b) Utilization of existing agencies, private individuals, etc., in furnishing assistance; grants to intermediary organizations.</p> <p>2344. Financial assistance.
 (a) Direct loans and guarantees of loans.
 (b) Allowable purposes.
 (c) Limitation on direct loans.
 (d) Limitations on loans and guarantees.</p> <p>2345. Conditions for financial assistance.
 (a) Unavailability of firm's resources; reasonable assurance of repayment.
 (b) Interest rates.
 (c) Maturity of loans.
 (d) Priority for small firms; servicing of loans.
 (e) Loan guarantee conditions.
 (f) Operating reserves.
 (g) Fees to lenders which make loan guarantees.
 (h) Maximum aggregate amount of outstanding guaranteed or direct loans.
 (i) Preference for firms having employee stock ownership plans.</p> <p>2346. Delegation of functions to Small Business Administration.
 (a) Delegation of functions as to eligibility certification.
 (b) Authorization of appropriations.
 (c) Transfer of unexpended appropriations.</p> <p>2347. Administration of financial assistance.
 (a) Powers of Secretary.
 (b) Recordation of mortgages.
 (c) Availability of receipts for financing functions.
 (d) Privileged or confidential information.
 (e) Capital assets secured by first lien; exceptions.</p> <p>2348. Protective provisions.
 (a) Recordkeeping.
 (b) Audit and examination.
 (c) Certifications.
 (d) Conflicts of interest.</p> <p>2349. Penalties.
2350. Civil actions.
2351. "Firm" defined.
2352. Regulations.
2353. Repealed.
2354. Study by Secretary of Commerce when International Trade Commission begins investigation.
 (a) Subject matter of study.
 (b) Report; publication.
 (c) Information to firms.</p> <p>2355. Assistance to industry; authorization of appropriations.
 (a) Technical assistance.
 (b) Expenditures.</p> | <p>Sec.
 (b) Findings of fact by Secretary; conclusiveness; new or modified findings.
 (c) Determination; review by Supreme Court.</p> <p>2396, 2397. Omitted.</p> <p>SUBCHAPTER III—ENFORCEMENT OF UNITED STATES RIGHTS UNDER TRADE AGREEMENTS AND RESPONSE TO CERTAIN FOREIGN TRADE PRACTICES</p> <p>2411. Actions by United States Trade Representative.
 (a) Mandatory action.
 (b) Discretionary action.
 (c) Scope of authority.
 (d) Definitions and special rules.</p> <p>2412. Initiation of investigations.
 (a) Petitions.
 (b) Initiation of investigation by means other than petition.
 (c) Discretion.</p> <p>2413. Consultation upon initiation of investigation.
 (a) In general.
 (b) Delay of request for consultations.</p> <p>2414. Determinations by Trade Representative.
 (a) In general.
 (b) Consultation before determinations.
 (c) Publication.</p> <p>2415. Implementation of actions.
 (a) Actions to be taken under section 2411.
 (b) Alternative actions in certain cases of export targeting.</p> <p>2416. Monitoring of foreign compliance.
 (a) In general.
 (b) Further action.
 (c) Consultations.</p> <p>2417. Modification and termination of actions.
 (a) In general.
 (b) Notice; report to Congress.
 (c) Review of necessity.</p> <p>2418. Request for information.
 (a) In general.
 (b) If information not available.
 (c) Certain business information not made available.</p> <p>2419. Administration.
2420. Identification of trade expansion priorities.
 (a) Identification.
 (b) Initiation of investigations.
 (c) Agreements for elimination of barriers.
 (d) Reports.</p> <p>SUBCHAPTER IV—TRADE RELATIONS WITH COUNTRIES NOT RECEIVING NONDISCRIMINATORY TREATMENT</p> <p>PART 1—TRADE RELATIONS WITH CERTAIN COUNTRIES</p> <p>2431. Exception of products of certain countries or areas.</p> <p>2432. Freedom of emigration in East-West trade.
 (a) Actions of nonmarket economy countries making them ineligible for normal trade relations, programs of credits, credit guarantees, or investment guarantees, or commercial agreements.
 (b) Presidential determination and report to Congress that nation is not violating freedom of emigration.
 (c) Waiver authority of President.
 (d) Extension of waiver authority.
 (e) Countries not covered.</p> <p>2433. United States personnel missing in action in Southeast Asia.
 (a) Penalty for noncooperating countries.
 (b) Exception.</p> <p>2434. Extension of nondiscriminatory treatment.</p> |
|---|---|
- PART 4—ADJUSTMENT ASSISTANCE FOR COMMUNITIES
2371 to 2374. Omitted.
- PART 5—MISCELLANEOUS PROVISIONS
2391. General Accounting Office study and report.
 (a) Adjustment assistance programs.
 (b) Assistance from Labor and Commerce Departments.
2392. Adjustment Assistance Coordinating Committee.
2393. Trade monitoring system.
2394. Firms relocating in foreign countries.
2395. Judicial review.
 (a) Petition for review; time and place of filing.

Sec.		Sec.	
	(a) Presidential proclamation.	2451b.	Regulations; termination of provision.
	(b) Limitation on period of effectiveness.		(a) To carry out restrictions and monitoring.
	(c) Suspension or withdrawal of extensions of nondiscriminatory treatment.		(b) To carry out agreements.
			(c) Termination date.
2435.	Commercial agreements.		SUBCHAPTER V—GENERALIZED SYSTEM OF PREFERENCES
	(a) Presidential authority.	2461.	Authority to extend preferences.
	(b) Terms of agreements.	2462.	Designation of beneficiary developing countries.
	(c) Congressional action.		(a) Authority to designate countries.
2436.	Market disruption.		(b) Countries ineligible for designation.
	(a) Investigation by International Trade Commission; report; publication.		(c) Factors affecting country designation.
	(b) Affirmative determination.		(d) Withdrawal, suspension, or limitation of country designation.
	(c) Products of Communist countries.		(e) Mandatory graduation of beneficiary developing countries.
	(d) Petitions to initiate consultations as provided for by safeguard arrangements.		(f) Congressional notification.
	(e) Definitions; factors determining existence of market disruption.	2463.	Designation of eligible articles.
2437.	Procedure for Congressional approval or disapproval of extension of nondiscriminatory treatment and Presidential reports.		(a) Eligible articles.
	(a) Transmission of nondiscriminatory treatment documents to Congress.		(b) Articles that may not be designated as eligible articles.
	(b) Transmission of freedom of emigration documents to Congress.		(c) Withdrawal, suspension, or limitation of duty-free treatment; competitive need limitation.
	(c) Effective date of proclamations and agreements; disapproval of reports.		(d) Waiver of competitive need limitation.
2438.	Payment by Czechoslovakia of amounts owed United States citizens and nationals.		(e) International Trade Commission advice.
	(a) Renegotiation of 1974 agreement.		(f) Special rule concerning Puerto Rico.
	(b) Provisional retention of gold.	2464.	Review and report to Congress.
2439.	Freedom to emigrate to join a very close relative in United States.	2465.	Date of termination.
	(a) Sanctions for emigration restrictions.	2466.	Agricultural exports of beneficiary developing countries.
	(b) Report to Congress concerning emigration policies.		Designation of sub-Saharan African countries for certain benefits.
	(c) Exemption from application of section.		(a) Authority to designate.
	(d) Additional exemption from application of section.		(b) Preferential tariff treatment for certain articles.
2440, 2441.	Repealed.		(c) Beneficiary sub-Saharan African countries, etc.
		2466b.	Termination of benefits for sub-Saharan African countries.
PART 2—RELIEF FROM MARKET DISRUPTION TO INDUSTRIES AND DIVERSION OF TRADE TO THE UNITED STATES MARKET		2467.	Definitions.
2451.	Action to address market disruption.		SUBCHAPTER VI—GENERAL PROVISIONS
	(a) Presidential action.	2481.	Definitions.
	(b) Initiation of an investigation.	2482.	Exercise of functions of International Trade Commission.
	(c) Market disruption.		(a) Preliminary investigation.
	(d) Factors in determination.		(b) Use of authority granted under other provisions.
	(e) Time for Commission determinations.		(c) Gathering of current information.
	(f) Recommendations of Commission on proposed remedies.	2483.	Consequential changes in Tariff Schedules of the United States.
	(g) Report by Commission.	2484.	International drug control.
	(h) Opportunity to present views and evidence on proposed measure and recommendation to the President.	2485.	Voluntary limitations on exports of steel to United States.
	(i) Critical circumstances.	2486.	Trade relations with North American countries.
	(j) Agreements with the People's Republic of China.		(a) Negotiations for free trade area with Canada.
	(k) Standard for Presidential action.		(b) Regional study.
	(l) Publication of decision and reports.	2487.	Repealed.
	(m) Effective date of relief.		SUBCHAPTER VII—TARIFF TREATMENT OF PRODUCTS OF, AND OTHER SANCTIONS AGAINST, UNCOOPERATIVE MAJOR DRUG PRODUCING OR DRUG-TRANSIT COUNTRIES
	(n) Modifications of relief.	2491.	Short title.
	(o) Extension of action.	2492.	Tariff treatment of products of uncooperative major drug producing or drug-transit countries.
2451a.	Action in response to trade diversion.		(a) Required action by President.
	(a) Monitoring by Customs Service.		(b) Certifications; Congressional action.
	(b) Initiation of investigation.		(c) Duration of action.
	(c) Actions described.		(d) Presidential action regarding aviation.
	(d) Basis for determination of significant diversion.		
	(e) Commission determination; agreement authority.		
	(f) Public comment.		
	(g) Recommendation to the President.		
	(h) Presidential action.		
	(i) Duration of action.		
	(j) Review of circumstances.		

Sec.

- (e) Standards and guidelines for determining major drug-transit countries.

2493. Sugar quota.
2494. Progress reports.
2495. Definitions.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 1352, 2502, 2804, 2805, 3004, 3105 of this title; title 28 sections 1581, 2631.

§ 2101. Short title

This chapter may be cited as the “Trade Act of 1974”.

(Pub. L. 93–618, § 1, Jan. 3, 1975, 88 Stat. 1978.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 93–618, which in addition to enacting this chapter enacted section 1863 of this title, amended sections 160, 162, 163, 164, 170a, 1202, 1303, 1315, 1321, 1330, 1332, 1333, 1337, 1352, 1484, 1516, 1806, 1862, 1872, 1885, and 1981 of this title, sections 5312, 5314, 5315, and 5316 of Title 5, Government Organization and Employees, section 301 of Title 13, Census, section 3302 of Title 26, Internal Revenue Code, sections 2631 and 2632 of Title 28, Judiciary and Judicial Procedure, and section 665 of former Title 31, Money and Finance, repealed sections 1802, 1803, 1804, 1805, 1822, 1831, 1832, 1833, 1841, 1842, 1843, 1844, 1845, 1846, 1861, 1871, 1873, 1882, 1883, 1884, 1886, 1901, 1902, 1911, 1912, 1913, 1914, 1915, 1917, 1931, 1941, 1942, 1943, 1944, 1951, 1952, 1961, 1962, 1963, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, and 1991 of this title, and enacted provisions set out as notes under this section and sections 160, 162, 1303, 1321, 1337, 1484, 1515, 1516, 1901, and 2271 of this title and section 301 of Title 13, Census.

REFERENCES TO OTHER LAWS DEEMED REFERENCES TO TRADE ACT OF 1974

Section 602(f) of Pub. L. 93–618, as amended by Pub. L. 96–39, title XI, § 1106(h)(3), July 26, 1979, 93 Stat. 313, provided that: “All provisions of law (other than this Act [this chapter], the Trade Expansion Act of 1962 [chapter 7 of this title], and the Trade Agreements Extension Act of 1951 [see Short Title of 1951 Amendment note set out under section 1654 of this title]), in effect after the date of enactment of this Act [Jan. 3, 1975], referring to section 350 of the Tariff Act of 1930 [section 1351 of this title], to that section as amended, to the Act entitled ‘An Act to amend the Tariff Act of 1930,’ approved June 12, 1934 [enacting sections 1352, 1353, and 1354 and amending section 1351 of this title], to that Act as amended or to the Trade Expansion Act of 1962, or to agreements entered into, or proclamations issued, or actions taken under any of such provisions, shall be construed, unless clearly precluded by the context, to refer also to this Act, or to agreements entered into or proclamations or orders issued pursuant to this Act.”

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104–188, title I, § 1951, Aug. 20, 1996, 110 Stat. 1917, provided that: “This subtitle [subtitle J (§§ 1951–1954) of title I of Pub. L. 104–188, enacting sections 2461 to 2467 of this title, amending sections 2702, 3011, 3202, 3331, and 3551 of this title, section 1444–2 of Title 7, Agriculture, section 4711 of Title 15, Commerce and Trade, sections 262p–4p and 2191a of Title 22, Foreign Relations and Intercourse, and section 871 of Title 26, Internal Revenue Code, and enacting provisions set out as a note under section 2461 of this title] may be cited as the ‘GSP Renewal Act of 1996’.”

SHORT TITLE OF 1993 AMENDMENT

Pub. L. 103–182, title V, § 501, Dec. 8, 1993, 107 Stat. 2149, provided that: “This subtitle [subtitle A (§§ 501–507) of title V of Pub. L. 103–282, enacting sec-

tions 2322 and 2331 of this title, amending sections 2271 to 2273, 2275, 2317, and 2395 of this title, sections 3304 and 3306 of Title 26, Internal Revenue Code, and section 503 of Title 42, The Public Health and Welfare, enacting provisions set out as notes under section 2331 of this title and section 3306 of Title 26, and amending provisions set out as a note preceding section 2271 of this title] may be cited as the ‘NAFTA Worker Security Act’.”

SHORT TITLE OF 1990 AMENDMENT

Pub. L. 101–382, § 1(a), Aug. 20, 1990, 104 Stat. 629, provided that: “This Act [see Tables for classification] may be cited as the ‘Customs and Trade Act of 1990’.”

SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101–221, § 1, Dec. 12, 1989, 103 Stat. 1886, provided that: “This Act [amending section 4611 of Title 26, Internal Revenue Code, enacting provisions set out as notes under sections 2253 and 2703 of this title and section 4611 of Title 26, and amending provisions set out as notes under sections 2253 and 2703 of this title] may be cited as the ‘Steel Trade Liberalization Program Implementation Act’.”

SHORT TITLE OF 1986 AMENDMENT

Pub. L. 99–272, title XIII, § 13001, Apr. 7, 1986, 100 Stat. 300, provided that: “This part [part 1 (§§ 13001–13009) of subtitle A, amending sections 2271, 2272, 2291 to 2293, 2296, 2297, 2311, 2317, 2319, 2341 to 2344, and 2346 of this title, enacting provisions set out as a note under section 2291 of this title, and amending provisions set out as a note preceding section 2271 of this title] may be cited as the ‘Trade Adjustment Assistance Reform and Extension Act of 1986’.”

SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98–573, title III, § 301(a), Oct. 30, 1984, 98 Stat. 3000, provided that: “This title [enacting sections 2114a to 2114e, 2138, and 2241 of this title, amending sections 2112, 2114, 2155, 2171, and 2411 to 2415 of this title and sections 3101 to 3104 of Title 22, Foreign Relations and Intercourse, and enacting provisions set out as notes under section 2102 of this title and section 3101 of Title 22] may be cited as the ‘International Trade and Investment Act’.”

Pub. L. 98–573, title V, § 501(a), Oct. 30, 1984, 98 Stat. 3018, provided that: “This title [enacting section 2466 of this title, amending sections 2461 to 2465 of this title, and enacting provisions set out as notes under section 2461 of this title] may be cited as the ‘Generalized System of Preferences Renewal Act of 1984’.”

SEPARABILITY

Section 605 of Pub. L. 93–618 provided that: “If any provision of this Act [see References in Text note above], or the application of any provision to any circumstances or persons shall be held invalid, the validity of the remainder of this Act, and of the application of such provision to other circumstances or persons, shall not be affected thereby.”

§ 2102. Congressional statement of purpose

The purposes of this chapter are, through trade agreements affording mutual benefits—

(1) to foster the economic growth of and full employment in the United States and to strengthen economic relations between the United States and foreign countries through open and nondiscriminatory world trade;

(2) to harmonize, reduce, and eliminate barriers to trade on a basis which assures substantially equivalent competitive opportunities for the commerce of the United States;

(3) to establish fairness and equity in international trading relations, including reform of the General Agreement on Tariffs and Trade;